

## **REMARKS**

Within the Office Action dated May 04, 2007, the Examiner rejected claims 16-30 under 35 U.S.C. section 101 as being directed to a plurality of instructions per se. Claims 1-3, 5, 7-8, 10-11, 16-18, 20, 22-23, 25-26 and 31 were rejected under 35 U.S.C section 102(b) as being anticipated by United States Patent 7,089,321 B2 to Hayashi (Hayashi). Claims 4 and 19 were rejected under 35 U.S.C section 103(a) as being unpatentable over Hayashi. Claims 6 and 21 were rejected under section 103(a) as being unpatentable over Hayashi, and further in view of United States Patent Application 2003/0,154,493 A1 to Kagle et al. (Kagle). Claims 12-15 and 27-30 were rejected under section 103(a) as being unpatentable over Hayashi, and further in view of United States Patent 6,002,394 to Schein (Schein).

By this amendment Applicants amend claims 1, 16 and 31, but do not add or cancel any claims. Accordingly, claims 1-31 will remain pending in the application upon entry of this amendment.

### **I. Rejection of Claims 16-30 under Section 101**

Claims 16-30 were rejected under section 101 as being directed to a plurality of instructions per se. Claims 17-30 are dependent on claim 16. Applicants have amended claim 16 to recite a computer readable medium having instructions thereon, that when executed, aggregate television programming in a personal video recording ("PVR") system. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the section 101 rejection of claims 16-30.

### **II. Rejection of Claims 1-15**

Claims 1-3, 5, 7-8 and 10-11 were rejected under section 102(b) as being anticipated by Hayashi. Claim 4 was rejected under section 103(a) as being unpatentable over Hayashi. Claim 6 was rejected under section 103(a) as being unpatentable over Hayashi, and further in view of Kagle.

Claims 12-15 were rejected under section 103(a) as being unpatentable over Hayashi, and further in view of Schein. Claims 2-15 are dependent on claim 1.

Claim 1 recites a method for aggregating television programming in a personal video recording ("PVR") system. The method receives several television signals, tunes each of the television signals in one of several tuners, and buffers the television signals on a storage medium in at least a first PVR media server. The first PVR media server is for maintaining a write position for the buffering. The method couples several clients, over a network that includes one or more PVR media servers, to the first PVR media server. The method generates a request from a requesting client for a list of television programming from each of the PVR media servers on the network. The method receives, from each PVR media server, a list of television programming available through the respective PVR media servers, and aggregates, at the requesting client, a list of television programming information available from a plurality of locations within the PVR system.

Applicants respectfully submit that Hayashi does not disclose, teach, or even suggest such a method. For instance, Hayashi particularly teaches against installing a network of costly receivers, is directed to, and proclaims advantages of sharing a single wireless satellite broadcast receiver server, in contrast to claim 1. Hence, Hayashi states many differences from claim 1, which particularly recites coupling a plurality of clients, over a network comprising one or more PVR media servers, to a first PVR media server that is for buffering and maintaining a write position for the buffering. The method of claim 1 further recites generating a request from a requesting client for a list of television programming from each of the PVR media servers on the network, which includes a number of PVR media servers. Thus, in further contrast to claim 1, Hayashi can not disclose receiving from each PVR media server, a list of television programming available through each of the respective PVR media servers, and aggregating, at the requesting client, a list of television programming information

available from multiple locations within the PVR system.

Accordingly, Applicants respectfully submit that the cited references do not render unpatentable claim 1. Since claims 2-15 are dependent on claim 1, Applicants respectfully submit that the cited references do not render unpatentable claims 2-15 for at least the reasons discussed above in relation to claim 1. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2-15.

### **III. Rejection of Claims 16-30**

Claims 16-18, 20, 22-23, 25-26 and 31 were rejected under section 102(b) as being anticipated by Hayashi. Claim 19 was rejected under section 103(a) as being unpatentable over Hayashi. Claim 21 was rejected under section 103(a) as being unpatentable over Hayashi, and further in view of Kagle. Claims 27-30 were rejected under section 103(a) as being unpatentable over Hayashi, and further in view of Schein. Claims 17-30 are dependent on claim 16.

Claim 16 recites a computer readable medium having several stored instructions, which when executed aggregate television programming in a personal video recording ("PVR") system. The computer readable medium, more specifically, includes sets of instructions that receive television signals, tuning each of the television signals in one of several tuners, and buffer the television signals on a storage medium in at least a first PVR media server. The PVR media server is for maintaining a write position for the buffering. The instructions couple multiple clients, over a network that includes one or more PVR media servers, to the first PVR media server. The instructions generate a request from a requesting client for a list of television programming from each of the PVR media servers on the network, receiving, from each PVR media server, a list of television programming available through each of the respective PVR media servers, and aggregate, at the requesting client, a list of television programming available from a plurality of locations within the PVR system.

Applicants respectfully submit that Hayashi, in contrast to claim 16, particularly teaches against installing a network of costly receivers, is directed to, and proclaims advantages of sharing a single wireless satellite broadcast receiver server. Hence, Hayashi states many differences from claim 16, which particularly recites a computer readable medium with instructions thereon for coupling a plurality of clients, over a network comprising one or more PVR media servers, to a first PVR media server that is for buffering and maintaining a write position for the buffering. Claim 16 further recites generating a request from a requesting client for a list of television programming from each of the PVR media servers on the network, which includes a number of PVR media servers. Thus, in further contrast to claim 16, Hayashi can not disclose receiving from each PVR media server, a list of television programming available through each of the respective PVR media servers, and aggregating, at the requesting client, a list of television programming information available from multiple locations within the PVR system.

Accordingly, Applicants respectfully submit that the cited references do not render unpatentable claim 16. Since claims 17-30 are dependent on claim 16, Applicants respectfully submit that the cited references do not render unpatentable claims 17-30 for at least the reasons discussed above in relation to claim 16. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 16-30.

#### **IV. Rejection of Claim 31**

Claim 31 was rejected under section 102(b) as being anticipated by Hayashi. Claim 31 recites a personal video recording ("PVR") system comprising at least a first PVR media server that includes an input, several tuners, and a storage medium. The input is for receiving several television signals. The tuners are for tuning each of the television signals. The storage medium is for buffering the television signals, and the first PVR media server is configured for maintaining a write position

for the buffering. The system further includes a network that has a number of PVR media servers and several clients. The clients are coupled over the network to the first PVR media server. The clients are for generating a request from a requesting client for a list of television programming from each of the PVR media servers on the network. The request is for receiving, from each PVR media server coupled to the network, a list of television programming available through each respective PVR media server, and for aggregating, at the requesting client, a list of television programming available within the PVR system.

Applicants respectfully submit that Hayashi does not disclose, teach, or even suggest such a system. For instance, Hayashi, in contrast to claim 31, particularly teaches against installing a network of costly receivers, is directed to, and proclaims advantages of sharing a single wireless satellite broadcast receiver server. Hence, Hayashi states many differences from claim 31, which particularly recites a network of PVR media servers coupling a plurality of clients, the PVR media servers include a first PVR media server that is for buffering and maintaining a write position for the buffering. The system of claim 31 further recites a requesting client that requests a list of television programming from each of the PVR media servers on the network, which includes a number of PVR media servers. Thus, in further contrast to claim 31, Hayashi can not disclose a system that receives from each PVR media server, a list of television programming available through each of the respective PVR media servers, and aggregates, at the requesting client, a list of television programming information available from multiple locations within the PVR system.

Accordingly, Applicants respectfully submit that the cited references do not render unpatentable claim 31. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 31.

## CONCLUSION

Based on the foregoing remarks, Applicants believe that the application is in condition for allowance. If the Examiner has any questions regarding the case, the Examiner is invited to contact Applicants' undersigned representative at the number given below.

Respectfully submitted,

STATTLER | SUH, P.C.

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/Andy Pho/ #48,862

Andy T. Pho

Reg. No. 48,862

Stattler | Suh, Professional Corporation  
60 South Market Street, Suite 480  
San Jose, CA 95113  
Phone: (408) 881-0140 x102  
Fax: (408) 881-0145